IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 1207 of 2007
Date of decision: 22.03.2007

Asstt. Executive Engineer & Others

..... Petitioners.

Versus

Sat Pal

..... Respondent.

CORAM: HON'BLE MR. JUSTICE M.M. AGGARWAL

Present:- Mr. Jaswant Singh, Advocate
for the petitioners.

M.M.AGGARWAL, J. (ORAL)

This is petition against the judgment dated 20.09.2006 of Additional District Judge, Kurukshetra whereby appeal filed by the present petitioners against an order of Additional Civil Judge (Senior Division), Pehowa dated 25.04.2006, was dismissed.

It comes out that Sat Pal, plaintiff now respondent had filed a suit for mandatory injunction against the defendants now petitioners for providing electric connection. The electricity Board had objected that there was an arrears amounting to Rs.21,954/- in respect of the electric connection already used in the same premises and as per circular of the electricity Board unless that amount was paid, no new connection in that premises could be given. However, the trial Court allowed the application of the plaintiff now respondent and directed the electricity Board to instal electric connection. An appeal filed by the petitioners-electricity Board against that order, was dismissed.

Counsel for the petitioner relies on a judgment of this Court in case of **Dakshin Haryana Bijli Vitran Nigam Ltd. v. M/s Paramount Polymers Pvt. Ltd. 2006 AIR SCW 5354** and argues that unless arrears are paid, no connection can be installed.

There are concurrent findings of the Courts below.

After hearing counsel for the petitioner, I do not find any good ground to interfere in the order dated 20.09.2006 passed by Additional District Judge, Kurukshetra. However, it is directed that plaintiff-respondent shall be liable to furnish adequate security before the Trial Court undertaking to deposit the amount with the electricity Board, if his suit fails.

Disposed of.

March 22 , 2007 **(M.M. AGGARWAL)**
Dinesh **JUDGE**